

I hereby certify that this correspondence is being filed via
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on February 11, 2008

TOWNSEND and TOWNSEND and CREW LLP

By: Nancy Pizzo
Nancy Pizzo

PATENT

Atty. Docket No. 026322-000600US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Steven A. Odrich

Application No.: 10/825,047

Filed: April 15, 2004

For: Drug Delivery Via Punctal Plug

Customer No.: 20350

Confirmation No. 7403

Examiner:

T.C./Art Unit: 1618

**Petition to Correct Inventorship
under 37 C.F.R. §1.48(a)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request the inventorship of the subject application be corrected under 37 C.F.R. §1.48(a). Inventorship of this non-provisional application is being corrected after filing of the original Oath/Declaration. The inventorship identified in the original Oath/Declaration included an error, and the error arose without deceptive intent.

Per §1.48(a)(1), the desired change in inventorship is the addition of Liane C. Glazer, so that the corrected inventors will include:

STEVEN A. ODRICH and

LIANE C. GLAZER

Per §1.48(a)(2), attached is a Statement by Dr. Glazer (now being added as an inventor) establishing that the error in inventorship occurred without deceptive intent on her part.

Per §1.48(a)(3), an Oath/Declaration by the actual inventors (Dr. Odrich and Dr. Glazer) under 37 C.F.R. §1.63 is filed herewith.

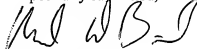
Regarding §1.48(a)(4), the processing fee set forth in §1.17(i) of \$130.00, is hereby authorized to be deducted from Deposit Account No. 20-1430.

Per §1.48(a)(5), Written Consent of the Assignee to the change in inventorship is attached, along with a §3.73(b) authorization.

As Applicants have complied with the requirements for correction of inventorship of the subject application under 37 C.F.R. §1.48(a), Applicants request that the inventorship be corrected, and that the examination be advanced in due course.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Mark D. Barrish
Reg. No. 36,443

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400 / Fax: 415-576-0300

Attachments: Oath/Declaration for Utility Application by Inventors
Statement by Liane Glazer under 37 CFR §1.48(a)(2)
Consent of Assignee to Correct Inventorship under 37 CFR §1.48(a)(5) with
Statement under 37 CFR 3.73(b)

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**Consent by Assignee to Correct
Inventorship under 37 C.F.R.
§1.48(a)(5)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

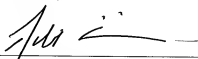
Per documents to be filed concurrently herewith, inventorship of the subject application is being corrected under 37 C.F.R. § 1.48(a).

The Assignee of the entire right and interest of the subject application is:

QLT Plug Delivery, Inc.

QLT Plug Delivery, Inc., hereby authorizes the correction of inventorship of the subject application, namely, the addition of Liane Glazer as a co-inventor together with Steven Odlich.

Respectfully submitted,



Name: Robert Shimizu

Title: Vice President, Research & Development

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Steven A. OdlichApplication No./Patent No.: 10/825,047Filed/Issue Date: April 15, 2004Entitled: DRUG DELIVERY VIA PUNCTAL PLUGQLT Plug Delivery, Inc., a corporation

(Name of Assignee)

(Type of Assignee: corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
(The extent (by percentage) of its ownership interest is _____ %)

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, and/or a true copy of the original assignment is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as follows:

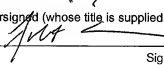
1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ As required by 37 CFR 3.73(b)(1)(i), the documentary evidence of the chain of title from the original owner to the assignee was, or concurrently is being, submitted for recordation pursuant to 37 CFR 3.11.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, to record the assignment in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

Robert Shimizu

Printed or Typed Name

Vice President, Research & Development

Title

February 6, 2008

Date

650-325-2050

Telephone Number

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS Liane C. Glazer of 545 Hammond St., Chestnut Hill, MA 02467, hereinafter referred to as "Assignor," is or may be an inventor of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: DRUG DELIVERY VIA PUNCTAL PLUG

Date(s) of execution of Declaration: FEB. 7, 2008

Filing Date: April 15, 2004

Application No.: 10/825,047; and

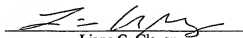
WHEREAS, QLT Plug Delivery, Inc., a corporation of the state of Delaware, located at 191 Jefferson Dr., Menlo Park, CA 94025, hereinafter referred to as "ASSIGNEE," is desirous of acquiring any and all interest of the Assignor in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignor, Assignor has assigned, and by these presents does assign to Assignee any and all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on any patent application claiming priority from the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignor had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignor further agrees that Assignor will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignor has signed his or her name on the date indicated.

Dated: FEB. 7, 2008


Liane C. Glazer

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention

DRUG DELIVERY VIA PUNCTAL PLUG

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/825,047, filed on April 15, 2004
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)Inventor one: Steven A. OdrichDate: 2/8/08Signature: Citizen of: United StatesInventor two: Liane C. Glazer

Date: _____

Signature: _____

Citizen of: United States

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention

DRUG DELIVERY VIA PUNCTAL PLUG

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/825,047, filed on April 15, 2004
- ☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

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FULL NAME OF INVENTOR(S)

Inventor one: Steven A. Odrich

Date: _____

Signature: _____

Citizen of: United StatesInventor two: Liane C. GlazerDate: FEB. 7, 2008Signature: Citizen of: United States

☐ Additional inventors or a legal representative are being named on _____ additional form(s) attached hereto.

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**Statement by Liane Glazer under
37 C.F.R. §1.48(a)(2)**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Per a Declaration to be filed herewith, I am being added as an inventor to the subject application. I was not named an inventor in the originally filed application. That error in inventorship occurred without deceptive intention on my part.

Respectfully submitted,

Liane Glazer
Liane Glazer
Inventor